



**DEPARTMENT OF THE NAVY**  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
33000 NIXIE WAY, BLDG 50 Suite 207  
SAN DIEGO, CA 92147

5720  
Ser BPMOW.rdc/086  
April 2, 2019

Mr. Jeff Ruch  
Executive Director  
Public Employees for Environmental Responsibility  
962 Wayne Avenue, Suite 610  
Silver Spring, MD 20910

Dear Mr. Ruch:

This letter responds to your Freedom of Information Act (FOIA) request of November 9, 2018 in which you seek the following:

- 1) The latest documents related to, or estimating, the depth below surface at which groundwater is found at Treasure Island;
- 2) The latest documents related to review of groundwater flow/release/migration from Treasure Island into San Francisco Bay;
- 3) Documents and communication from the period between January 1, 2014 and present related to the extent to which contaminated groundwater is a pathway for migration of radiological isotopes in the San Francisco Bay; and
- 4) Documents and communication reflecting the current regulatory standards the Navy is obligated to comply with in assessing and remediating potential releases of radiation into San Francisco Bay from runoff and groundwater flow into the Bay.

Your request was received by this office on November 19, 2018 and assigned file number DON-Navy-2019-001158 (superseding previously assigned number DON-Navy-2019-001082). We responded on December 18, 2018, indicating an estimated completion date of April 1, 2019.

During our search, we examined the files maintained by our office and the Naval Facilities Engineering Command (NAVFAC) Administrative Record and have made a final determination that two (2) reports and one (1) email with attachment are responsive to your request. One of the reports is currently being reviewed for redactions under the FOIA (5 U.S.C. § 552(b)) and will be provided when the redactions are complete. The second report is currently being reviewed by other Navy activities with a substantial subject matter interest in the request, and will be provided when their review is complete. The email with attachment is provided with this letter on FOIA Online. The email pertains to regulatory agency comments regarding the "Site 12 Draft Work Plan". The final version of this work plan, including agency comments and Navy responses, is one of the reports identified as responsive above and will be released following review.

In this instance, we have determined that the fees associated with the processing of your request are waived.

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In view of the above, you may consider this to be an adverse determination that may be appealed. Since you have created an account in FOIA online, you may submit an appeal directly within the web-based system. To do this, you would log in to your account, retrieve your original request, and then click on the "Create Appeal" tab in the left-hand column. The basic information from your request will be duplicated for you, and then you can type in the basis of your appeal. If you prefer to use regular mail, you may submit an appeal to:

The Department of the Navy  
Office of the General Counsel (ATTN: FOIA APPEALS)  
1000 Navy Pentagon, Room 5A532  
Washington, DC 20350-1000

Your appeal, if any, must be transmitted (if appealing by FOIA ONLINE) or postmarked (if appealing by mail) within 90 calendar days from the date of this letter. Please be advised that a FOIA requestor has the responsibility to provide a timely submission of an appeal. Additionally, you must include in your appeal a statement indicating why you believe your appeal should be granted, and you are encouraged to also include a copy of your initial request and a copy of this letter.

For any further assistance regarding any aspect of your request, you have the right to contact the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at Christopher.A.Julka@navy.mil or (703) 697-0031. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-01, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Any questions concerning this matter should be directed to Ms. Sarah Ann Moore who may be contacted at [sarah.moore@navy.mil](mailto:sarah.moore@navy.mil) or 619-524-5727.

Sincerely,

A handwritten signature in black ink that reads "Alan K. Lee". The signature is written in a cursive style with a large, stylized "A" and "L".

ALAN K. LEE  
Director  
Acting